

expression, "of no use in Congress, browbeaten as they were by the bold and overwhelming majority, they had concluded to retire from that field and take a stand in the State Legislatures against their opponents' enterprises on the Constitution." In this they counted on the co-operation of Virginia and Kentucky, as "the sympathy between these two States was more cordial and more intimately confidential than between any other two States of Republican policy." Toward the close of October, 1798, W. C. Nicholas, of Virginia, and John C. Breckenridge, of Kentucky, visited Monticello and urged Jefferson to draw up resolutions of the desired tenor for presentation to the Legislature of Kentucky. They assured him that it should not be known from what quarter the resolutions came, and Jefferson consented to draft them. In the original draft they were nine in number.* They declared that the Union was not based on the principle of unlimited submission to the general government; that the Constitution was a compact to which each State was a party as over against its fellow States; and that in all cases not specified in the compact, each party had a right to judge for itself as well of infraction as of the mode and measure of redress. The Alien and Sedition Acts were denounced as unconstitutional, and other States were invited to join in declaring them void. These resolutions, in almost the same form in which they went from, Jefferson's hand, passed the Kentucky Legislature almost unanimously. One, the ninth, authorizing the committee to establish a system of correspondence on the subject with other States, was omitted; another (the eighth), advocating a nullification as the rightful remedy for all assumptions of power by the national Government, was modified. Instead of declaring the acts null and void, the Legislature merely instructed the representatives of Kentucky in Congress "to use their best endeavors to procure at the next

*The authorship of the resolutions was not generally known until 1821, when Jefferson disclosed the fact to a son of Breckenridge, who had written to him on the subject.